

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ **MAY 29 2015** ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JARRETT R. JENKINS.

Plaintiff,

V.

CAPITAL ONE, N.A.,

Defendant.

LONG ISLAND OFFICE

Case No. 2:14-cv-05683-SJF-AKT

**STIPULATION AND ORDER  
SUBSTITUTING COUNSEL**

The undersigned stipulate and agree to a change of attorney of record for Defendant, Capital One Bank (USA), N.A. (incorrectly sued as "Capital One, N.A.") (hereinafter, "Capital One") in the above-captioned action and agree that Daniel Ginzburg of Podvey, Meanor, Catenacci, Hildner, Coccoziello & Chattman, P.C., with offices located at One Riverfront Plaza, Suite 800, Newark, New Jersey 07102, is substituted as attorney of record for Capital One in place of Preston L. Zarlock, Esq. and Heather H. Kidera, Esq. of Phillips Lytle LLP.

Dated: New York, New York  
May 28, 2015

PHILLIPS LYTLE LLP

By Heather H. Kidera

Preston L. Zarlock

Heather H. Kidera

The New York Times Building  
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PODVEY MEANOR CATENACCI HILDNER  
COCOZIELLO & CHATTMAN, P.C.

By /s/ Daniel Ginzburg

Daniel Ginzburg

The Legal Center  
One Riverfront Plaza, Suite 800  
Newark, New Jersey 07102  
Telephone No. (973) 623-1000

Capital One Bank (USA), N.A.

By Tim O'Brien

Name: Tim O'Brien

Title: Assistant General Counsel

**SO ORDERED:**

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/s/ A. Kathleen Tomlinson

A. KATHLEEN TOMLINSON, U.S.M.J.

Dated: May 29, 2015